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August 6, 2020

VIA ECF

The Hon. Sarah Netburn
United States Magistrate Judge
Thurgood Marshall Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *Rich v. Fox News Network LLC, et al.*, No. 18-cv-2223

Dear Judge Netburn:

Yesterday the Court issued a Letter of Request for the testimony of Julian Assange pursuant to Fox News's request. Docket No. 173. As Fox News's letter to the Court observed, "Plaintiffs do not agree with the positions taken in [the] Letter of Request regarding the relevance of Mr. Assange's testimony," but Plaintiffs did not "object to Fox's request for the issuance of a Letter of Request for Mr. Assange's deposition, as long as that deposition does not delay the discovery schedule currently in place." Docket No. 163, at 1. The Court in our conference this week acknowledged that Plaintiffs had questions concerning the relevance of Fox's request.

The letter of request that the Court endorsed as so ordered, and which Fox had drafted, includes statements and assertions such as that "this Court believes that the testimony of Mr. Julian Assange will be highly relevant to the adjudication of the above-captioned matter."

Just to be clear, as we said and as the Court acknowledged, Plaintiffs do not agree with the positions taken in the letter, and we do not understand the Court to have made any determination on the substance of the positions taken in the letter. Rather our understanding is that the Court issued the letter per Fox's request because Plaintiffs did not oppose the request in principle.

We appreciate the Court's continued attention to this case.

Respectfully,

s/ Arun Subramanian
Arun Subramanian